

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEXINGTON INSURANCE COMPANY

Plaintiff

v.

DAVID FORREST and T. BEAUCLERC  
ROGERS, IV, STANLEY MUNSON, MARTIN  
FINK, all individually, and NEW BEGINNINGS  
ENTERPRISES LLC, A California Limited  
Liability Company, and TARLO LYONS, a  
partnership,

Defendants

CIVIL ACTION

NO. 02-CV-4435

(Hon. Anita B. Brody)

**SUBSTITUTION OF AFFIDAVIT**

Kindly file of record the attached signed Affidavit of Stanley Munson in place of the Affidavit that was included in Tarlo Lyon's Motion to Dismiss Plaintiff Lexington Insurance Company's Second Amended and Supplemental Complaint.

Respectfully submitted,

HARVEY, PENNINGTON LTD.

BY:



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Dated: October 13, 2004

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**CERTIFICATE OF SERVICE**

David L. Pennington, Esquire, attorney for Defendant, Tarlo Lyons, hereby certifies that I have served true and correct copy of the foregoing Substitution of Affidavit was served upon the following parties or their counsel of record by first class mail, postage prepaid on this day:

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